

MARKD.LONERGAN(StateBarNo.143622)
mdl@severson.com
PETERH.BALES(StateBarNo.251345)
phb@severson.com
SEVERSON&WERSON
AProfessionalCorporation
OneEmbarcaderoCenter,Suite2600
SanFrancisco,CA94111
Telephone:(415)398-3344
Facsimile:(415)956-0439

AttorneysforDefendants
WELLSFARGOFINANCIAL
ACCEPTANCEMISSOURI,INC.,etal.

UNITEDSTATESDISTRICTCOURT
NORTHERNDISTRICTOFCALIFORNIA

RICHARDHOWARD,

Plaintiff,

vs.

WELLSFARGOFINANCIAL
ACCEPTANCE,WELLSFARGOAUTO
FINANCE,INC.,WELLSFARGO
FINANCIALCAR,LLC,andDOES1-50,

Defendants.

CaseNo.:CO7-05881EDL

**STIPULATIONTOREMOVEACTION
FROMEARLYNEUTRAL
EVALUATION**

ComplaintDate:November20,2007

Theparties,byandthroughtheirrespectivecounsel,herebystipulateandrequestthe
Court to removethisactionfromitscurrentassignmenttoEarlyNeutralEvaluationand
recommendthisactionforSettlementConferencebeforeaMagistrateJudgeforthe following
reasons:

1. PertheCourt'sFebruary29,2008CaseManagementandPretrialOrder,this
actionwasreferredtotheCourt'sADRProgramfor EarlyNeutralEvaluation.
2. TheADRProgramselectedanevaluatorandonMarch 28,2008thepartieshad
aphoneconferencewiththeevaluator.Theevaluator disclosedthathisfirm

maintained its bank account with a Wells Fargo subsidiary, at which point
counsel for plaintiff objected to the evaluator.

3. As staff attorney for the ADR program informed the parties that it has been
difficult to locate an evaluator who is both experienced in this litigation and
does not have a Wells Fargo bank account.
4. Pursuant to ADR local rule 5-4(b), parties are required to complete the Early
Neutral Evaluation by May 23, 2008.
5. Due to the difficulties in locating the evaluator and with the deadline
approaching to complete the evaluation, the parties request the Court to remove
this action from Early Neutral Evaluation and refer the action to a Settlement
Conference before a Magistrate Judge or to mediation.

DATED: May 19, 2008

SEVERSON & WERSON
A Professional Corporation

By: /s/ Peter H. Bales
Peter H. Bales

Attorneys for Defendant
WELLS FARGO FINANCIAL ACCEPTANCE
MISSOURI, INC.

DATED: May 17, 2008

LAW OFFICE ORRON BOCHNER

By: /s/ Ron Bochner
Ron Bochner

Attorneys for Plaintiff
RICHARD HOWARD

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this e-filed document.